

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
TUESDAY, FEBRUARY 6, 2001
9 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Linda Steinman

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
FEBRUARY 1, 2001**

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting minutes of February 1, 2001. Workman, Hudkins and Campbell voted aye. Steinman abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. County Logo
- B. Longevity Awards
- C. Microcomputer Request, C#2001-036, from Families First & Foremost (F³), for Compaq Pentium III, 17" Color Monitor, Software, Etc., \$2,126.02 from the F³ Grant Budget
- D. Location of Mid-Year Budget Retreat
- E. Report on Lincoln Partnership for Economic Development Meeting
- F. Parks and Recreation Futures Subcommittee
- G. Traffic Light in Waverly
- H. Report on Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) Meeting
- I. Letter of Support for an Implementation Grant from the Office of Justice Programs for Juvenile Drug Court Programs
- J. Bethany in Bloom Festival
- K. Report on Funders Group

MOTION: Steinman moved and Hudkins seconded approval of the additions to the agenda. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- O Government Committee advanced LB 366 (changes provisions relating to zoning by county boards and nonfarm buildings) to General File. The bill was amended to apply only to counties with a population of over 100,000.
- O Revenue Committee will hear LB 600 (changes agricultural and horticultural land valuation provisions) on February 8th.

Hudkins said the Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) supports LB 600, which provides for the value of agricultural land to be determined based on the capitalized net earning capacity for property tax purposes.

Norm Agena, County Assessor said he supports the bill as well.

MOTION: Hudkins moved and Steinman seconded to support the concepts in LB 600. Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

- O Judiciary Committee will hear LB 335 (changes powers and duties of the Commission on Public Advocacy and provides reimbursement procedures for indigent defense systems) on February 8th.

Dennis Keefe, Public Defender, appeared and said LB 335 will require the Commission on Public Advocacy to establish standards for indigent defense systems. A system of a public defender, attorneys under contract, an assigned counsel program or any combination of the aforementioned systems could be utilized. Counties that choose to meet the established standards would be eligible for partial state reimbursement of costs (50% for first degree murder cases and 40% for all other cases). He said the bill is based upon a plan that is in practice in Indiana and is designed to improve indigent defense systems in Nebraska.

Keefe urged support of LB 335. He noted, however, that the Nebraska County Attorneys Association opposes the bill and is lobbying the Nebraska Association of County Officials (NACO) to support their position.

Hudkins said NACO has not taken a position on LB 335, but will continue to monitor the bill.

Board consensus to hold the issue and seek input from Gary Lacey, County Attorney.

- O Government Committee will hear LB 640 (renames grants and provides for a county aid program under the Juvenile Services Act) and LB 652 (changes provisions relating to detention and evaluation costs for juveniles).

Kissel recommended that Lancaster County support LB 640 and offer suggestions on ways to improve the bill.

MOTION: Steinman moved and Hudkins seconded to support the concept of LB 640 and work on the issues of concern. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Workman seconded to oppose LB 652. Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

In response to a question from Hudkins, Kissel said Lancaster County has not taken a position on LB 142 (authorizes creation of municipal counties) because its interlocal agreements with the City serve both parties well. He said the bill was intended to foster cooperation between Douglas County and the City of Omaha.

Board consensus to review LB 142 and Nebraska Constitution Amendment, Article XV, §18 (2).

Returning to Discussion of LB 335

Gary Lacey, County Attorney, appeared and said the Nebraska County Attorneys Association opposes LB 335 because it has concerns as to whether the responsibility for establishing standards for indigent defense systems should be placed with the Commission on Public Advocacy and whether the intent of the bill is to establish a statewide public defender system.

The Board deferred further discussion of the bill until the next legislative report.

4 LABOR NEGOTIATIONS - Georgia Glass, Personnel Director; Diane Staab, Deputy County Attorney

MOTION: Hudkins moved and Workman seconded to enter Executive Session at 9:40 a.m. for discussion of labor negotiations. Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Workman seconded to exit Executive Session discussion of both labor negotiations and pending litigation at 10:30 a.m. Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

AMENDMENT: Hudkins moved and Workman seconded to amend the motion to enter Executive Session to include discussion of pending litigation. Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

5 PENDING LITIGATION - Doug Cyr, Deputy County Attorney; Sue Eckley, Workers' Compensation & Risk Management Manager

See Item 4.

6 BUDGET INSTRUCTION LETTER FOR FISCAL YEAR 2001-02 - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, reviewed drafts of the following documents (See agenda packet):

- Letter to county agencies regarding Fiscal Year 2001-02 budget requests
- Budget Calendar for Fiscal Year 2002*
- Department Budget Hearing Schedule*

Board consensus to eliminate the date of May 29th and to add the dates of June 12th and 14th to the *Department Budget Hearing Schedule*.

MOTION: Steinman moved and Hudkins seconded to approve the budget instruction letter. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

7 SHERIFF PAGERS - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, said The Better Beeper Company currently provides the Sheriff's Department with beeper air time. He proposed switching to Alltel, noting a significant cost savings (Exhibit B).

MOTION: Workman moved and Steinman seconded to authorize the change in the beeper air time provider for the Sheriff's Department, contingent upon consultation with Purchasing Department. Workman, Hudkins, Steinman and Campbell voted aye. Motion carried.

8 ELECTION COMMISSIONER TECHNOLOGY UPDATE - Dave Shively, Election Commissioner; Bonnie Sittig, Deputy Election Commissioner; Dee Lee, Election Commission

Dave Shively, Election Commissioner, said his office utilizes two different systems for election voting and absentee voting because Election Systems and Software, Inc. (ES&S), the company that supplied the election voting system, was initially unable to offer the "ballot on demand" software and kiosks necessary for absentee voting. He said ES&S is now able to offer this technology and has proposed a one year lease at a cost that is \$1,000 over what was budgeted for the absentee voting system (Exhibit C). Additional benefits include an accelerated absentee ballot counting process; provision of absentee ballot stock, utilization of existing optical scanning equipment and the ability to typeset the ballots on the computer. Shively added that the absentee voting system provider is unable to make a comparable offer.

MOTION: Hudkins moved and Steinman seconded to authorize Dave Shively, Election Commissioner, to proceed with the lease and to prepare a contract for action at a County Board of Commissioners Meeting. Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

Shively also presented an estimate of costs for converting voter registration card imaging to the Intranet (Exhibit D). He said there is also potential for remote access to information through Palm 7's.

The Board asked Shively to check on the timetable for conversion.

MOTION: Workman moved and Steinman seconded to approve the conversion concept and to determine the appropriate source of funding at the Mid-Year Budget Review. Workman, Steinman, Hudkins and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. County Logo

Cori Beattie, County Board Administrative Secretary, appeared and presented logo designs proposed by ScreenCo (Exhibit E).

The Board rejected the designs and asked that the State Capitol Building not be included in future design proposals. A graphic play on the lettering was also suggested.

B. Longevity Awards

Cori Beattie, County Board Administrative Secretary, circulated an *AMAGIFT Gift Album Brochure* and suggested that employees receiving longevity awards this year be allowed to select their recognition gifts from preselected catalog choices. She noted that the catalogs and recognition gifts may be mailed directly to the employees.

The Board agreed with the suggestion and asked that department heads provide a brief statement about their employees that are receiving recognition to be read aloud during the presentation at the May 15th County Board of Commissioners Meeting.

- C. Microcomputer Request, C#2001-036, from Families First & Foremost (F³), for Compaq Pentium III, 17" Color Monitor, Software, Etc., \$2,126.02 from the F³ Grant Budget (Exhibit F)

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

- D. Location of Mid-Year Budget Retreat

The Mid-Year Budget Retreat will be held March 2nd in the Lincoln Airport Authority Board Room, Lincoln Municipal Airport.

- E. Report on Lincoln Partnership for Economic Development Meeting

Campbell said a presentation was given on the proposed Interim "No Net Rise" Standard.

- F. Parks and Recreation Futures Subcommittee

Workman distributed copies of a letter he had written to Lynn Johnson, Parks & Recreation Director, forfeiting his position on the Futures Subcommittee (Exhibit G).

- G. Traffic Light in Waverly

Workman said a number of Waverly residents have requested installation of a traffic light, with a crosswalk button, on 148th Street and Castlewood to serve the elementary school and the subdivision to the east. A change in the speed limit from 45 to 35 miles per hour has also been requested. He said both of these changes would require a traffic study.

The Board requested a briefing by Don Thomas, County Engineer. Input from the Waverly City Council and Waverly School Board will also be sought.

- H. Report on Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) Meeting

Hudkins said discussion focused on how relief to agricultural land will be viewed by urbanites. He said the group supports LB 600 (changes agricultural and horticultural land valuation provisions) because of its income approach.

Hudkins said Lancaster County will host the next Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) Meeting on February 26th.

- I. Letter of Support for an Implementation Grant from the Office of Justice Programs for Juvenile Drug Court Programs

Eagan distributed copies of a letter from Scott Carlson, Lancaster County Juvenile Drug Court Coordinator, requesting support of a joint Lancaster, Sarpy and Douglas County application for an implementation grant from the Office of Justice Programs for Juvenile Drug Court programs (Exhibit H).

MOTION: Steinman moved and Workman seconded to authorize Kathy Campbell, Chair, and Kerry Eagan, Chief Administrative Officer, to prepare a letter of support. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

- J. Bethany in Bloom Festival

Board members will individually respond on whether they plan to attend the event which will be held April 21, 2001.

- K. Report on Funders Group

Item dropped from the agenda.

9 ACTION ITEMS

- A. Attendance at the Nebraska Association of County Officials (NACO) Western Interstate Conference, May 23-26, 2001 in Hawaii, by Commissioner Workman

MOTION: Steinman moved and Hudkins seconded to authorize Commissioner Workman to attend the conference. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

- B. Set Date for Employee Recognition Luncheon

Board consensus to hold the Employee Recognition Luncheon at 11:30 a.m. on May 15, 2001 at the Windsor Stables Reception Centre, 1024 "L" Street.

- C. Request from the Community Mental Health Center for Installation of T1 Lines to the Community Mental Health Center and Adams Street Center and Phone Line to The Heather for an Additional Monthly Cost of \$100 and Installation Cost of \$300

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

10 ADMINISTRATION OFFICER REPORT

A. Lincoln Area Agency on Aging Update

Campbell reported the following:

- O Lincoln Indian Senior Center 1100 Military Road, will be closed due to poor attendance. Transportation will be provided to the Belmont Senior Center, 1234 Judson, instead.
- O Lincoln Area Agency on Aging is partnering with Rural Transit to transport senior citizens from the villages of Davey, Denton, Emerald, Malcolm and Raymond to the Carol M. Yoakum Senior Center, 4621 Northwest 48th Street.

B. Garner Industries

Campbell said she and Commissioner Workman met last week with representatives of Garner Industries and were informed that it will be necessary to install new water line on 98th Street rather than lowering the existing water line pipe, as was originally proposed. This will substantially increase costs. She said the County had agreed in September, 2000 to split the cost of water line work on 98th Street with the City, at an amount not to exceed \$40,000, however a contract was not executed. Garner Industries was advised to reopen negotiations with the City.

Campbell said the water line issue was also brought up in the Monthly Meeting with the Mayor. She said Mayor Wesely consulted his staff and called back to suggest a one third split between all three parties, which would be an additional \$17,000 - \$18,000 each.

Hudkins questioned the sales tax charge on the pipe.

Board consensus to agree to the one third split of costs, but to cap the dollar figure. The Board also proposed that any excess savings go to Garner Industries.

C. Interim "No Net Rise" Standard

Nicole Fleck-Tooze, City Public Works/Utilities, appeared and reviewed the following documents (Exhibits I & J):

- O *Interim "No Net Rise" Standard, Overview, Revised February 5, 2001*
- O *Interim "No Net Rise" Standard, Definition and Potential Exceptions*

Fleck-Tooze said there has been a substantial increase in the number of permits issued to fill or build within the floodplain during the last five years. The City and Lower Platte South Natural Resources District (NRD) are working with the U. S. Army Corps of Engineers on a study of different types of floodplain standards and management and will model the impact of having different floodplain regulations in place within the City and its three mile zoning jurisdiction. She estimated that it will take at least 18 months to complete the study and bring forth permanent floodplain regulations. An Interim "No Net Rise" Standard is proposed to address the interim period. This will allow development to move forward provided it does not cause any rise in flood heights. Provisions are also in place for a limited number of exceptions.

MOTION: Hudkins moved and Steinman seconded to also implement the Interim "No Net Rise" Standard for Lancaster County.

Fleck-Tooze said this will require some parallel changes to the County Code and agreed to inform the Planning Commission that these changes are forthcoming.

ON CALL: Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

D. Dead-end Road in Sunrise Estates

Eagan said he met with Gary Lacey, County Attorney; Don Thomas, County Engineer; and Terry Wagner, Lancaster County Sheriff, to discuss the request from Sunrise Estates Community Association to close a portion of Sunny Slope Road. He said it was recommended that a County Attorney's opinion be requested on the issue of whether or not it is permissible to place a gate across a public road.

E. Deputy Chief Administrative Officer Position

The Board reviewed a list of the top 15 candidates for the Deputy Chief Administrative Officer position and narrowed the list of candidates they would like to interview. Board consensus to pare the list down to 3-5 candidates and to hold interviews on February 27th.

F. Presentation to Lancaster Manor Residents on County Government (April 26, 2001 at 2:30 p.m.)

Eagan said he and Ed Zimmer, Historic Preservation Planner, are scheduled to give a presentation on the history of Lancaster County government to the residents of Lancaster Manor. He invited members of the Board to attend and speak to the group.

G. Committee Assignments

Board members will review the list of committee assignments (see agenda packet) and indicate any changes that need to be made.

11 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Families First & Foremost (F³) Conveners Group - Campbell, Steinman

Campbell reported that Sheryl Schrepf, Families First & Foremost (F³) Grant Director, is now able to commit a full-time effort to the F³ Grant Program.

- B. Monthly Meeting with the Mayor - Campbell, Workman

Item deferred.

- C. Joint Budget Committee - Campbell, Steinman

Item deferred.

12 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk